

Douglas Gordon #13550-036
USP Lewisburg Camp - RDAP
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Lewisburg, PA 17837

November 15, 2023

Heather Belanger, Investigative Specialist
Probation & Pretrial Services
District of Maine
400 Congress Street, 5th Floor
Portland, ME 04101

U.S. DISTRICT COURT
DISTRICT OF MAINE
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RE: Report for Amendment 821 eligibility; Case 1:19-cr-00007-JAW

Dear Heather Belanger:

Thank you for sending me a copy of the report which documented your interpretation of my eligibility for a Sentence Reduction. I would like to bring your attention, a small but important typo in your report.

In the Criteria Part B (Zero-Points Offenders)

'(10) the defendant received an adjustment under § 3B1.1 (Aggravating Role) AND was **not** engaged in continuing criminal enterprise, as defined in 21 U.S.C. section 848.'

While it is true I did receive an leadership enhancement, I did not receive an enhancement for a criminal continuing enterprise, as defined in 21 U.S.C. section 848

The way it reads in your report, you would be correct I would not be eligible. But the report does not accurately represent the Amendment: For the actual criteria reads: the defendant received an adjustment under § 3B1.1 (Aggravating Role) AND WAS engaged in a continuing criminal enterprise, as defined in 21 U.S.C. section 848.

I point this out for this reason, I believe it was the sentencing commission's intention to exclude only those with Zero criminal History for only the most serious crime(s). The above number 10 criteria is commonly known, at least in prison, as the "Kingpin" charge for operators of large DRUG enterprises. Also if you look at the other 9 criteria: the subjects are Terrorism, death and sex offenses, etc. Do you really think copying old movies is on the same level as those crimes?

I would ask you to reconsider your report.

In conclusion, based on belief, memory and knowledge, I'd like paraphrase the Honorable Judge Nivison at my detention hearing in 2019, "...We want to make sure we get the information correct [Speaking of my alleged violation at the time], before we take away a person's liberty, even for five minutes."

Thank you again.

Sincerely,


Douglas Gordon #13550-036
Lewisburg, Pennsylvania

cc The District Court, Bangor